

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MICHIGAN BRICKLAYERS AND ALLIED
CRAFTWORKERS HEALTH CARE FUND, MICHIGAN
BRICKLAYERS AND ALLIED CRAFTSWORKERS
PENSION FUND, BRICKLAYERS & TROWEL TRADES
INTERNATIONAL PENSION FUND, INTERNATIONAL
MASONRY INSTITUTE, INTERNATIONAL UNION OF
BRICKLAYERS AND ALLIED CRAFTWORKERS
LOCAL 9, AFL-CIO, and INTERNATIONAL UNION OF
BRICKLAYERS AND ALLIED CRAFTWORKERS,
AFL-CIO,

Plaintiffs,

v.

S AND D, INC., d.b.a CAPITAL TILE;
DEANNA L. KENNEDY, and STEVE KENNEDY,

Defendants.

Case No. 1:05-cv-598

Hon. Wendell A. Miles

DEFAULT JUDGMENT

This is an action filed under Section 301 of the Labor Management Relations Act, 29 U.S.C. § 185, and Sections 502 and 515 of the Employee Retirement Income Security Act, 29 U.S.C. §§ 1132, 1145. The plaintiffs allege that the defendants have breached their obligation to make fringe benefit and other contributions under the terms of a collective bargaining agreement.

Defendants have defaulted, their default having been entered on October 21, 2005.

Based upon plaintiffs' Motion for Default Judgment, upon the brief, exhibits, and affidavits filed in support thereof, and upon the pleadings previously filed in this matter, the court concludes that plaintiffs are entitled to a default judgment against the defendants. Therefore,

IT IS ORDERED AND ADJUDGED as follows:

1. Plaintiffs shall have and recover Judgment from the defendants, jointly and severally, in the amount of \$4,496.25 with interest until paid as provided by 28 U.S.C. § 1961.

2. Plaintiffs shall immediately cause a copy of this default judgment to be served on the defendants.

Entered this 10th day of November, 2005.

/s/ Wendell A. Miles
Wendell A. Miles
Senior U.S. District Judge